

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

BILL LIETZKE,)
)
Plaintiff,)
)
v.) CASE NO. 2:21-CV-209-RAH
)
COUNTY OF MONTGOMERY, et)
al.,)
)
Defendants.)

ORDER

On May 3, 2023, the Magistrate Judge recommended this case be dismissed. (Doc. 9.) On May 16, 2023, Plaintiff Bill Lietzke filed a document styled as an “Order of Disqualification of Magistrate Judge Jerusha T. Adams Order Entering Default Judgment against Defendants Order Overruling Recommendation of the Magistrate Judge and Order to Show Cause,” which the Court has construed as including Objections to the Recommendation. (Doc. 10.)

Upon an independent review of the record, it is ORDERED as follows:

1. The Objections are OVERRULED;
2. The Recommendation (Doc. 9) is ADOPTED;
3. This case is DISMISSED with prejudice and without an opportunity to amend as it is duplicative, frivolous, and malicious, pursuant to 28 U.S.C. § 1915(e)(2)(B)(i); and
4. Plaintiff is prohibited from proceeding *in forma pauperis* in this District on any

complaint arising out of any incident associated with his 1999 and 2002-03 involuntary commitments.

It is further ORDERED that, as a consequence of Lietzke's status as vexatious litigant, any future *in forma pauperis* motions Lietzke files in this District shall be accompanied by a notarized affidavit, sworn under penalty of perjury, in which he states whether he has ever filed any lawsuits in any court arising out of the same incident(s), acts(s), or occurrence(s) as are implicated in the complaint on which he seeks to proceed *in forma pauperis*. If he has filed any related lawsuits, he must include in his signed, notarized affidavit the name of the court(s) where each such lawsuit was filed, the case number of the related case(s), and the status of the related litigation. He must also attach to his sworn, notarized affidavit (1) a current copy of the docket sheet for each such case and (2) a copy of each and every complaint that he has filed in any such case. Any such attached copy of a complaint shall bear the dated "filed" stamp of the Clerk of the Court in which it was filed, or it shall bear the mark of the CM/ECF (PACER) system showing that it is a copy of the complaint that is in the official court record. Failure to follow these instructions shall result in denial of the motion to proceed *in forma pauperis* and may result in dismissal of the case with or without prejudice for failure to comply with the court's orders.

DONE, on this the 12th day of July 2023.



R. AUSTIN HUFFAKER, JR.
UNITED STATES DISTRICT JUDGE